

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JUSTIN ANTHONY GOBLE,

Plaintiff,

v.

SECURITAS SECURITY  
SERVICES USA, INC.,

Defendant.

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JURY DEMAND

CIVIL ACTION NO. \_\_\_\_\_

**COMPLAINT**

Comes now the plaintiff, Justin Anthony Goble ("Private First Class Goble") through counsel and for his Complaint states:

1. This is an action brought pursuant to the Uniformed Services Employment and Reemployment Rights Act ("USERRA").

**PARTIES**

2. Plaintiff, Private First Class Goble is a citizen of Tennessee and resides in Davidson County, Tennessee.

3. Defendant, Securitas Security Services USA, Inc. ("Securitas") is a security company in the United States, with over 650 local branch managers and more than 90,000 security officers who provide security solutions to meet the specific needs of thousands of businesses, including specialized guarding, mobile security services, monitoring, consulting and investigations. Securitas's principle place of business is located in Parsippany, New Jersey. Securitas also maintains a place of business in Middle Tennessee located at 301 S. Perimeter Park Drive, Suite 115, Nashville, Tennessee 37211.

## **JURISDICTION AND VENUE**

4. This Court has jurisdiction over the subject matter of this action pursuant to 38 U.S.C. § 4323(b).

5. Venue is proper in this district under 38 U.S.C. § 4323(c)(2) and 28 U.S.C. § 1391(b) because Securitas maintains a place of business in this judicial district.

## **FACTS**

6. Private First Class Goble began at Securitas as an unarmed security guard in December, 2010.

7. Private First Class Goble has been a member of the Tennessee National Guard since 2008. Securitas was aware that Private First Class Goble was a member of the Tennessee National Guard.

8. Currently, Private First Class Goble is an E-4 and a member of the 1/181 Field Artillery Battalion based in Chattanooga, Tennessee. Private First Class Goble serves as a combat medic in the Tennessee National Guard.

9. In March, 2012, Private First Class Goble was activated by his military unit and served on active duty in the Tennessee National Guard.

10. Prior to serving on active duty in March, 2012, Private First Class Goble gave Securitas reasonable notice under USERRA to alert the company that he was being called to active duty.

11. On or about March 10, 2012, Private First Class Goble left Securitas to give himself a reasonable amount of time to prepare his family for his active duty deployment, including moving his wife.

12. Private First Class Goble was contacted by Joe Curran ("Manager Curran"), Securitas' branch manager who demanded that Private First Class Goble provide him a copy of his military orders or other documentation proving that he had been called to active duty.

13. Subsequently, Private First Class Goble was contacted by Manager Curran who stated: "I consider you voluntarily terminated because you are giving me the run around about your documentation."

14. Private First Class Goble returned from military duty, but has been unable to find employment since Securitas' unlawful discharge.

15. Securitas's manager's discrimination and unlawful discharge of Private First Class Goble violated his rights under USERRA.

#### **CLAIM FOR RELIEF**

##### **Uniformed Service Employment and Reemployment Rights Act, 38 U.S.C. § 4301 *et seq.***

16. Private First Class Goble adopts and incorporates all of the prior allegations and averments stated before.

17. Securitas violated Private First Class Goble's rights under 38 USC § 4311 of USERRA, among other ways, by discriminating against him and unlawfully discharging him.

18. Private First Class Goble's military service was a motivating factor in the adverse employment actions taken against him by Securitas in violation of 38 U.S.C. § 4311.

19. Private First Class Goble has lost pay and benefits as a result of Securitas' discrimination and unlawful discharge.

20. Securitas' refusal to fully comply with USERRA is willful and deliberate.

WHEREFORE, Plaintiff Prays:

1. That the Court find and make a declaratory judgment that Securitas violated Private First Class Goble's USERRA rights when it discriminated against him by unlawfully discharging him.

2. That Securitas be required to fully comply with the provisions of USERRA by:

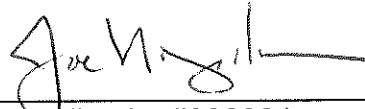
- (a) Ordering that Securitas refrain from discriminating against Private First Class Goble;
- (b) Reinstating Private First Class Goble to the position he held prior to performing military service or a position of like seniority, status and pay.
- (c) Entering a judgment awarding Private First Class Goble all lost pay and benefits as a result of Securitas' violations of USERRA in an amount not to exceed \$500,000.
- (d) Entering a judgment awarding Private First Class Goble liquidated damages for its willful violations of USERRA.
- (e) Entering a judgment awarding Private First Class Goble his attorneys' fees.
- (f) Entering a judgment awarding Private First Class Goble his litigation expenses.
- (g) Entering a judgment awarding Private First Class Goble pre- and post-judgment interest on the amount of lost compensation found due.
- (h) The Court awarding any such general relief that Private First Class Goble may be entitled.

#### **DEMAND FOR JURY TRIAL**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, the Plaintiff demands trial by jury in this action.

Dated: 9 July 2012

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Napiltonia", written over a horizontal line.

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